

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CHAPTER 13
: :
DENNIS E. NORD and : NO. 21-10004 AMC
DINA NORD :

**CERTIFICATION OF COUNSEL OF DEFAULT
FROM STIPULATION**

I, Elliot H. Berton, Esquire, an adult individual, do say upon my oath as follows:

1. I am a partner in the law firm of Gawthrop Greenwood, PC, counsel for Siena Place Community Association (the "Association") in the above-referenced Bankruptcy case.

2. On July 22, 2021, the Honorable Ashely M. Chan entered an Order approving a Stipulation Between Siena Place Community Association and Debtors in Lieu of Objections to Amended Chapter 13 Plan (the "Stipulation"). A true and correct copy of the Court Order and Stipulation are collectively attached hereto and incorporated herein as Exhibit "A."

3. Pursuant to the Stipulation, the Debtors were to remit timely payment of all post-Petition homeowners association common expense assessments to the Association together with the additional sum of \$250.00 to resolve the Association's secured claim. (See, Exhibit A, ¶¶ 1-2).

4. The Debtors failed to remit payments to the Association required by the Stipulation.

5. In accordance with the Stipulation, on December 20, 2023, I issued correspondence to the Debtors detailing the default under the Stipulation and reiterating the deadline in the Stipulation to cure the missed payments. A true and correct copy of said correspondence is attached hereto and incorporated herein as Exhibit "B."

6. Notwithstanding the notice, the Debtors did not cure the default.

7. Consequently, the Association respectfully requests entry of the attached Order granting the Association relief from the automatic stay and the right to resume enforcement of its lien against the unit known as and located at 2323 Roma Drive, Philadelphia, Pennsylvania 19145, and to seek a Judgment for unpaid post-Petition assessments in accordance with Section 523(a)(16) of the Bankruptcy Code..

The foregoing statements are true and correct to the best of my personal knowledge, information and belief.



Date: 1/8/24

Elliot H. Berton, Esquire (#53060)